

So Ordered.

Dated: December 8th, 2021



Whitman L. Holt
Bankruptcy Judge

[Handwritten signature]

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:
ASTRIA HEALTH,
Debtor.

ASTRIA HEALTH,
Plaintiff,

vs.

CERNER CORPORATION AND
CERNER REVENUE CYCLE, LLC,
Defendants.

Jointly Administered Under:
Lead Case No. 19-01189-WLH11
Chapter 11

Adversary No. 21-80005-WLH

ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF
ASTRIA HEALTH'S MOTION TO
COMPEL

THIS MATTER came before the court upon *Plaintiff Astria Health's Motion to Compel* (Dkt. No. 75) ("the Motion"), and the court having reviewed and considered the Motion and *Defendants' Opposition to Plaintiff's Motion to Compel* (Dkt. No. 88) it is hereby

ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF ASTRIA
HEALTH'S MOTION TO COMPEL

-1-

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1 **ORDERED** as follows:

2 1. The Motion is granted in part and denied in part.

3 2. In response to Astria's discovery Request No. 25, Cerner Corporation and
4 Cerner Revenue Cycle, LLC ("Cerner") shall produce documents and communications
5 dated between January 2015 and September 2020 related to the marketing of RevWorks,
6 any revenue cycle software sold as part of CommunityWorks, or Cerner Patient
7 Accounting to hospitals, hospital systems, clinics or health care providers provided that
8 the marketing was aimed at potential customers in Washington State or had a national
9 reach such that the marketing would have been directed into Washington State.

10 3. In response to Astria's discovery Request No. 26, Cerner shall produce
11 documents and communications concerning any complaint Cerner received from a
12 Cerner client related to an issue associated with or that resulted in diminished cash flows
13 lasting longer than three months after go-live or delays in the ability to collect or post
14 cash, related to the use of RevWorks, or any revenue cycle software sold as part of
15 CommunityWorks, or Cerner Patient Accounting at any hospital, hospital system, clinic
16 or health care provider in Washington State between January 2015 and September 2020.

17 4. In response to Astria's Interrogatory Number 5, Cerner shall identify every
18 hospital, hospital system, clinic or health care provider in Washington State to which it
19 has marketed RevWorks, any revenue cycle software sold as part of CommunityWorks,
20 or Cerner Patient Accounting between January 2015 and September 2020. Cerner will
21 include hospitals, hospital systems, clinics or health care providers located outside of
22 Washington State if any aspect of the revenue cycle software, RevWorks or BOS
23 Services was to be used in Washington State.

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-2-

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5. In response to Astria's discovery Request No. 27, Cerner shall produce all documents and communications instructing or otherwise providing guidance to its employees and/or representatives on how to respond to questions from customers or potential customers related to the problems at Astria Health, the problems at Benewah Community Hospital, and the six customers identified in the media articles listed in paragraph 54 of Astria's Amended Complaint (Dkt. No. 63).

///End of Order///

Presented by:

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-3-

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-4-

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